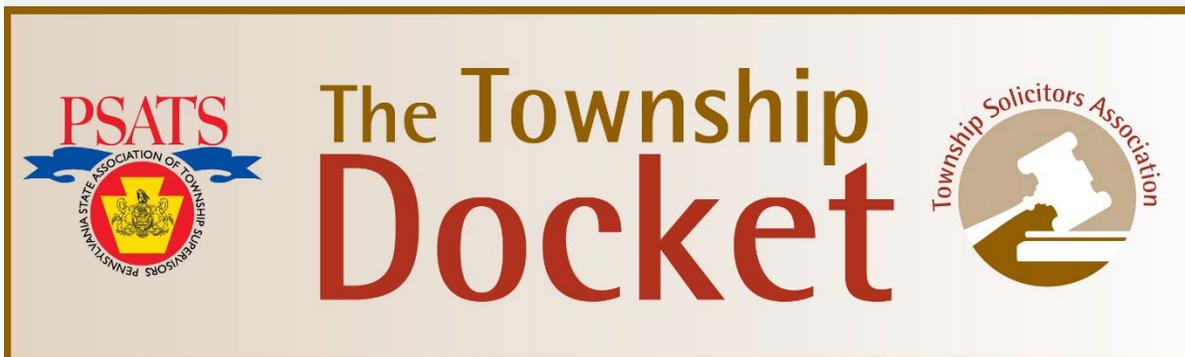


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Newsletter of the Pennsylvania State Association of Township Solicitors

August 15, 2022

Headlines

Register for PSATS' Fall Solicitors Seminars

PSATS will be hosting Solicitors Seminars September 20 at PSATS in Cumberland County and November 10 in Montgomery County. The western seminar was held earlier this summer.

Topics for September include an update on municipal employment-related matters, Ethics Act issues for solicitors, the latest on Right-to-Know Law final determinations and court decisions, and other recent decisions.

November's session will include a discussion on a myriad of issues arising out of a recent land use appeal, best practices for buying and selling municipal real estate, updates on recent decisions, employment-related issues (*including bargaining*), and more.

To register, click one of the links in the Upcoming Educational Offerings section below.

Last Call to Complete Solicitors Employment Survey

PSATS recently put out a survey to gauge hiring-related challenges faced by members of the Solicitors Association. Please take a few minutes to complete the following anonymous survey by **August 19**: <http://web.psats.org/cn/agnyv/MunicipalSolicitorStaff>

Township Supervisor Fined for Township Investment Discussions with Wife's Employer

The State Ethics Commission recently fined a Montour County township supervisor \$750 as part of a consent decree after he participated in discussions and actions regarding the investment of township funds with a credit union that employed his wife. It is a great reminder to make sure that your municipal clients are up to date on their obligations under the Ethics Act. (*Programming note!! PSATS is hosting an Ethics Act webinar on October 19.*)

Solicitors: Help Avoid Targeting by the SEC in Municipal Bond Offerings

David Unkovic and Ryan Gonder of McNees Wallace & Nurick wrote a blog post in which they reviewed two recent investigations by the U.S. Securities and Exchange Commission of public

bond deals and the lessons for all professionals involved in those transactions, including municipal solicitors. To read more, click [here](#).

Reminder: New Process for OOR Appeals Underway; Local Agencies Coming Soon

The state Office of Open Records announced that beginning August 1, all appeals from commonwealth agencies under the governor's jurisdiction, with few exceptions, will be handled through a new appeals portal. All appeals, including those involving local agencies, such as townships, will ultimately be handled through that portal. To read more, click [here](#).

Recent Decisions

No Standing for Residents to Challenge Township Zoning Ordinance over Oil and Gas Concerns

In *Lodge v. Robinson Twp. Zoning Hearing Bd.*, No. 813 C.D. 2020, 2022 WL 3094370 (Pa.Cmwlth. Aug. 4, 2022), the court rejected several residents' effort to challenge a 2014 ordinance that permitted oil and gas development as a principal use in several zoning districts and a conditional use in others but prohibited it in single-family residential and general residential zoning districts.

The Commonwealth Court agreed with the trial court's decision that the residents did not establish that the ordinance or well pad caused their alleged harms and that there were a variety of potential sources that existed prior to the ordinance, including pipelines, drilling in neighboring townships, air traffic, road traffic, illuminated billboards, and more.

The court also noted that the Supreme Court's decision in Robinson Township "in no way announced a new rule of law that individual objectors have automatic standing to pursue the validity of a zoning ordinance in the abstract or that oil and gas development is necessarily incompatible with Pennsylvania citizens' constitutional rights."

Upcoming Educational Offerings

[Background Screening: Reducing Liability & Maximizing Culture](#)

- 9/8/22 Webinar

In this webinar, Chad Bruckner of Intercounty Investigations & Solutions will review what constitutes a proper employee background screening process, the problems that arise if you don't conduct proper background screening, and the benefits of a quality screening process, including how it positively impacts your municipality's culture and performance. He will also review examples of successes and failures from municipalities around the state and review best practices, including when selecting third-party screeners.

[2022 PAAZO Fall Seminar](#) - PSATS/Cumberland County – 9/13/22 (5 CLE)

In the PAAZO Fall Seminar, learn from experts on a wide variety of topics relating to municipal zoning. Specific agenda items will be updated when finalized, but will include municipal employment issues, a recent case update, and an ethics presentation by the State Ethics

Commission.

[Taking Charge: Using Conservatorship to Eliminate Blight - 9/14/22 Webinar \(1 CLE\)](#)

A property is abandoned, and the neighbors are outraged. What do you do when an owner ignores/avoids code enforcement and tax sales? The Abandoned and Blighted Property Conservatorship Act gave municipalities a powerful tool to eliminate persistent blight. This webinar will introduce participants to the process of conservatorship, how to evaluate if a property fits the qualifications, and how to bring a property from blight to blessing in just one year.

[2022 PSATS Fall Solicitors Seminar – PSATS/Cumberland County – 9/20/22 \(5 CLE\)](#)

Get caught up on new and emerging issues in municipal law. Topics include an update on municipal employment-related matters, Ethics Act issues for solicitors, the latest on Right-to-Know Law final determinations and court decisions, and other recent decisions.

[Municipal Policing Potpourri - 9/21/22 Webinar \(1 CLE\)](#)

If your township has a police department, contracts with another department for police services, or is part of a regional police department, you will want to attend this webinar to get caught up on all the recent laws and proposed legislation affecting municipal police departments. You will also learn about what changes your townships and departments may need to make as a result of these new laws and legislation.

[The Latest on Short-Term Rentals – 10/12/22 Webinar \(1 CLE\)](#)

The use of short-term rentals (STRs) has exploded across the commonwealth and country, making it critical for municipalities to be prepared to address the numerous issues that can result, including resident complaints and registration and zoning challenges. In this session, learn about the current trends for regulating STRs around the country, as well as best practices to ensure that your municipality can address these issues head-on in an effective and efficient manner.

[How to Spot — and Avoid — an Ethics Act Violation - 10/19/22 Webinar \(1 CLE\)](#)

This webinar will review all the ways in which municipal officials and employees can get tripped up with the Ethics Act. Mary Fox, the Ethics Commission's new executive director, will cover conflicts of interest, voting conflicts, statements of interest, requesting advisory opinions, and much more, as well as provide tips for how your municipality can best avoid finding itself in the unwanted spotlight due to an Ethics Act issue.

[2022 PSATS Fall Solicitors Seminar - Plymouth Meeting/Montgomery County – 11/10/22 \(5 CLE\)](#)

Get caught up on new and emerging issues in municipal law. Topics will include a discussion on a myriad of issues arising out of a recent land use appeal, best practices for buying and selling municipal real estate, updates on recent decisions, employment-related issues (including bargaining), and more.

[2022 PAAZO Fall Seminar - Cranberry/Butler - 11/17/22 \(5 CLE\)](#)

In the PAAZO Fall Seminar, learn from experts on a wide variety of topics relating to municipal zoning. Specific agenda items will be updated when finalized.

This biweekly newsletter for members of the Pennsylvania State Association of Township Solicitors focuses on news and matters of interest to solicitors, shares case updates in a timely manner, and provides details about upcoming training opportunities. Email comments and suggestions to Scott Coburn [at scoburn@psats.org](mailto:scoburn@psats.org).



Pennsylvania State Association of Township Supervisors

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